

## TELEFAX COVER SHEET

RECEIVED  
CENTRAL FAX CENTER

DEC 29 2003

## MOSER, PATTERSON &amp; SHERIDAN, LLP

ATTORNEYS AT LAW  
595 SHREWSBURY AVENUE  
FIRST FLOOR  
SHREWSBURY, NJ 07702  
TELEPHONE (732) 530-9404  
TELEFAX (732) 530-9808

OFFICIAL

\*\*\*\*\*  
THIS TELEFAX MESSAGE IS ADDRESSED TO THE PERSON OR COMPANY LISTED BELOW.  
IF IT WAS SENT OR RECEIVED INCORRECTLY, OR YOU ARE NOT THE INTENDED  
RECIPIENT, PLEASE TAKE NOTICE THAT THIS MESSAGE MAY CONTAIN PRIVILEGED OR  
CONFIDENTIAL MATERIAL, AND YOUR DUE REGARD FOR THIS INFORMATION IS  
NECESSARY. YOU MAY ARRANGE TO RETURN THIS MATERIAL BY CALLING THE FIRM  
LISTED ABOVE AT (732) 530-9404  
\*\*\*\*\*

THIS MESSAGE HAS 17 PAGES INCLUDING THIS SHEET

TO: Commissioner of Patents  
FAX NO.: 703-872-9306  
FROM: Raymond R. Moser, Jr./TB  
DATE: December 29, 2003  
MATTER: Serial No. 09/866,313 Filed: 5/24/01  
DOCKET NO.: APPM 5230/ETCH/SILICON/JB1  
APPLICANT: Khan

The following has been received in the U.S. Patent and Trademark Office on the date of this facsimile:

☒ 1.114 Submission - 10 pages  
☐ Disclosure Statement & PTO-1449  
☐ Priority Document  
☐ Drawings  
☐ Notice of Appeal  
☒ Petition for Extension of Time (2 copies)

☒ RCE Transmittal Letter (2 copies)  
☒ Fec Transmittal (2 copies)  
☒ Deposit Account Transaction  
☒ Facsimile Transmission Certificate  
dated 12/29/03

## CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being transmitted by facsimile to the Commissioner for  
Patents, Alexandria, VA 22313-1450 on 12/29/03, Facsimile No. 703-872-9306

Carol Wilson  
Name of person signing this certificate

Carol Wilson 12/29/03  
Signature and date

PTO/SB/30 (09-03)

Approved for use through 07/31/2008. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# Request for Continued Examination (RCE) Transmittal

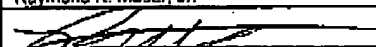
Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/866,313
Filing Date	5/24/01
First Named Inventor	Khan
Group Art Unit	1785
Examiner Name	Duy Vu Nguyen Deo
Attorney Docket Number	APPM 5230/ETCH/SILICON/JB1

This is a Request for Continued Examination (RCE) under 37 C.F.R. 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.


1. **Submission required under 37 C.F.R. 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the appeal brief or Reply brief previously filed on \_\_\_\_\_
- ii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_
2. **Miscellaneous**
- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. 1.17(f) required)
- b. ☐ Other \_\_\_\_\_
3. **Fees** The RCE fee under 37 C.F.R. 1.17(e) is required by 37 C.F.R. 1.114 when the RCE is filed.
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 20-0762
- i. ☒ RCE fee required under 37 C.F.R. 1.17(e)
- ii. ☒ Extension of time fee (37 C.F.R. 1.136 and 1.17)
- iii. ☒ Other see attached Fee Transmittal
- b. ☐ Check in the amount of \$\_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Raymond R. Moser, Jr.	Registration No. (Attorney/Agent)	34,662
Signature		Date	12/29/03

## CERTIFICATE OF TRANSMISSION/MAILING UNDER 37 CFR 1.10

I hereby certify that this correspondence and the documents referred to as attached therein are being facsimile transmitted to the USPTO or deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Name (Print/Type)	Carol Wilson	Date	12/29/03
Signature			

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL  
for FY 2003**

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant Claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)** 880**Complete If Known**

Application Number	09/866,313
Filing Date	5/24/01
First Named Inventor	Khan
Examiner Name	Duy Vu Nguyen Deo
Group / Art Unit	1785
Attorney Docket No.	APPM 5230/ETCH/SILICON/JB1

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)																																																																																																																													
<input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None		<b>3. ADDITIONAL FEES</b>																																																																																																																													
<input checked="" type="checkbox"/> Deposit Account Deposit Account Number: 20-0782 Deposit Account Name: Moser, Patterson & Sheridan, LLP		<table border="1"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>1051 130</td> <td>2051 65</td> <td>Surcharge - late filing fee or oath</td> <td></td> </tr> <tr> <td>1052 50</td> <td>2052 25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>1053 130</td> <td>1053 130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>1812 2,520</td> <td>1812 2,520</td> <td>For filing a request for reexamination</td> <td></td> </tr> <tr> <td>1804 820*</td> <td>1804 920*</td> <td>Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td>1805 1,840*</td> <td>1805 1,840*</td> <td>Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td>1251 110</td> <td>2251 55</td> <td>Extension for reply within first month</td> <td>110</td> </tr> <tr> <td>1252 420</td> <td>2252 210</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>1253 950</td> <td>2253 475</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td>1254 1,480</td> <td>2254 740</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>1255 2,010</td> <td>2255 1,005</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>1401 330</td> <td>2401 165</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>1402 330</td> <td>2402 165</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>1403 290</td> <td>2403 145</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>1451 1,510</td> <td>2451 1,510</td> <td>Petition to institute a public use proceeding</td> <td></td> </tr> <tr> <td>1452 110</td> <td>2452 55</td> <td>Petition to revive - unavoidable</td> <td></td> </tr> <tr> <td>1453 1,330</td> <td>2453 665</td> <td>Petition to revive - unintentional</td> <td></td> </tr> <tr> <td>1501 1,330</td> <td>2501 665</td> <td>Utility issue fee (or release)</td> <td></td> </tr> <tr> <td>1502 480</td> <td>2502 240</td> <td>Design issue fee</td> <td></td> </tr> <tr> <td>1503 640</td> <td>2503 320</td> <td>Plant issue fee</td> <td></td> </tr> <tr> <td>1480 130</td> <td>1480 130</td> <td>Petitions to the Commissioner</td> <td></td> </tr> <tr> <td>1807 50</td> <td>1907 50</td> <td>Processing fee under 37 CFR 1.17 (g)</td> <td></td> </tr> <tr> <td>1809 180</td> <td>1809 180</td> <td>Submission of Information Disclosure Stmt</td> <td></td> </tr> <tr> <td>8021 40</td> <td>8021 40</td> <td>Recording each patent assignment per property (Times number of properties)</td> <td></td> </tr> <tr> <td>1809 770</td> <td>2809 385</td> <td>Filing a submission after final rejection (37 CFR § 1.128(a))</td> <td></td> </tr> <tr> <td>1810 770</td> <td>2810 385</td> <td>For each additional invention to be examined (37 CFR § 1.129(b))</td> <td></td> </tr> <tr> <td>1801 770</td> <td>2801 385</td> <td>Request for Continued Examination (RCE)</td> <td>770</td> </tr> <tr> <td>1802 900</td> <td>1802 900</td> <td>Request for expedited examination of a design application</td> <td></td> </tr> <tr> <td colspan="2">Other fee (specify) _____</td> <td colspan="2"></td> </tr> <tr> <td colspan="2">*Reduced by Basic Filing Fee Paid</td> <td colspan="2">SUBTOTAL (3) (\$ 880)</td> </tr> </tbody> </table>		Large Entity	Small Entity	Fee Description	Fee Paid	1051 130	2051 65	Surcharge - late filing fee or oath		1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet		1053 130	1053 130	Non-English specification		1812 2,520	1812 2,520	For filing a request for reexamination		1804 820*	1804 920*	Requesting publication of SIR prior to Examiner action		1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action		1251 110	2251 55	Extension for reply within first month	110	1252 420	2252 210	Extension for reply within second month		1253 950	2253 475	Extension for reply within third month		1254 1,480	2254 740	Extension for reply within fourth month		1255 2,010	2255 1,005	Extension for reply within fifth month		1401 330	2401 165	Notice of Appeal		1402 330	2402 165	Filing a brief in support of an appeal		1403 290	2403 145	Request for oral hearing		1451 1,510	2451 1,510	Petition to institute a public use proceeding		1452 110	2452 55	Petition to revive - unavoidable		1453 1,330	2453 665	Petition to revive - unintentional		1501 1,330	2501 665	Utility issue fee (or release)		1502 480	2502 240	Design issue fee		1503 640	2503 320	Plant issue fee		1480 130	1480 130	Petitions to the Commissioner		1807 50	1907 50	Processing fee under 37 CFR 1.17 (g)		1809 180	1809 180	Submission of Information Disclosure Stmt		8021 40	8021 40	Recording each patent assignment per property (Times number of properties)		1809 770	2809 385	Filing a submission after final rejection (37 CFR § 1.128(a))		1810 770	2810 385	For each additional invention to be examined (37 CFR § 1.129(b))		1801 770	2801 385	Request for Continued Examination (RCE)	770	1802 900	1802 900	Request for expedited examination of a design application		Other fee (specify) _____				*Reduced by Basic Filing Fee Paid		SUBTOTAL (3) (\$ 880)	
Large Entity	Small Entity	Fee Description	Fee Paid																																																																																																																												
1051 130	2051 65	Surcharge - late filing fee or oath																																																																																																																													
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet																																																																																																																													
1053 130	1053 130	Non-English specification																																																																																																																													
1812 2,520	1812 2,520	For filing a request for reexamination																																																																																																																													
1804 820*	1804 920*	Requesting publication of SIR prior to Examiner action																																																																																																																													
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action																																																																																																																													
1251 110	2251 55	Extension for reply within first month	110																																																																																																																												
1252 420	2252 210	Extension for reply within second month																																																																																																																													
1253 950	2253 475	Extension for reply within third month																																																																																																																													
1254 1,480	2254 740	Extension for reply within fourth month																																																																																																																													
1255 2,010	2255 1,005	Extension for reply within fifth month																																																																																																																													
1401 330	2401 165	Notice of Appeal																																																																																																																													
1402 330	2402 165	Filing a brief in support of an appeal																																																																																																																													
1403 290	2403 145	Request for oral hearing																																																																																																																													
1451 1,510	2451 1,510	Petition to institute a public use proceeding																																																																																																																													
1452 110	2452 55	Petition to revive - unavoidable																																																																																																																													
1453 1,330	2453 665	Petition to revive - unintentional																																																																																																																													
1501 1,330	2501 665	Utility issue fee (or release)																																																																																																																													
1502 480	2502 240	Design issue fee																																																																																																																													
1503 640	2503 320	Plant issue fee																																																																																																																													
1480 130	1480 130	Petitions to the Commissioner																																																																																																																													
1807 50	1907 50	Processing fee under 37 CFR 1.17 (g)																																																																																																																													
1809 180	1809 180	Submission of Information Disclosure Stmt																																																																																																																													
8021 40	8021 40	Recording each patent assignment per property (Times number of properties)																																																																																																																													
1809 770	2809 385	Filing a submission after final rejection (37 CFR § 1.128(a))																																																																																																																													
1810 770	2810 385	For each additional invention to be examined (37 CFR § 1.129(b))																																																																																																																													
1801 770	2801 385	Request for Continued Examination (RCE)	770																																																																																																																												
1802 900	1802 900	Request for expedited examination of a design application																																																																																																																													
Other fee (specify) _____																																																																																																																															
*Reduced by Basic Filing Fee Paid		SUBTOTAL (3) (\$ 880)																																																																																																																													
<b>1. BASIC FILING FEE</b> <table border="1"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>1001 770</td> <td>2001 385</td> <td>Utility filing fee</td> <td></td> </tr> <tr> <td>1002 340</td> <td>2002 170</td> <td>Design filing fee</td> <td></td> </tr> <tr> <td>1003 530</td> <td>2003 265</td> <td>Plant filing fee</td> <td></td> </tr> <tr> <td>1004 770</td> <td>2004 385</td> <td>Release filing fee</td> <td></td> </tr> <tr> <td>1005 180</td> <td>2005 80</td> <td>Provisional filing fee</td> <td></td> </tr> <tr> <td colspan="2">SUBTOTAL (1)</td> <td colspan="2">(\$ 0)</td> </tr> </tbody> </table>		Large Entity	Small Entity	Fee Description	Fee Paid	1001 770	2001 385	Utility filing fee		1002 340	2002 170	Design filing fee		1003 530	2003 265	Plant filing fee		1004 770	2004 385	Release filing fee		1005 180	2005 80	Provisional filing fee		SUBTOTAL (1)		(\$ 0)		<b>2. EXTRA CLAIM FEES</b> <table border="1"> <thead> <tr> <th>Total Claims</th> <th>Extra Claims</th> <th>Fee from below</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>Independent Claims</td> <td>0</td> <td>0</td> <td>0</td> </tr> <tr> <td>Multiple Dependent</td> <td>0</td> <td>0</td> <td>0</td> </tr> </tbody> </table> <table border="1"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>1202 18</td> <td>2202 9</td> <td>Claims in excess of 20</td> <td></td> </tr> <tr> <td>1201 88</td> <td>2201 43</td> <td>Independent claims in excess of 3</td> <td></td> </tr> <tr> <td>1203 290</td> <td>2203 145</td> <td>Multiple dependent claim, if not paid</td> <td></td> </tr> <tr> <td>1204 88</td> <td>2204 43</td> <td>Reissue independent claims over original patent</td> <td></td> </tr> <tr> <td>1205 18</td> <td>2205 9</td> <td>Reissue claims in excess of 20 and over original patent</td> <td></td> </tr> <tr> <td colspan="2">SUBTOTAL (2)</td> <td colspan="2">(\$ 0)</td> </tr> </tbody> </table>		Total Claims	Extra Claims	Fee from below	Fee Paid	Independent Claims	0	0	0	Multiple Dependent	0	0	0	Large Entity	Small Entity	Fee Description	Fee Paid	1202 18	2202 9	Claims in excess of 20		1201 88	2201 43	Independent claims in excess of 3		1203 290	2203 145	Multiple dependent claim, if not paid		1204 88	2204 43	Reissue independent claims over original patent		1205 18	2205 9	Reissue claims in excess of 20 and over original patent		SUBTOTAL (2)		(\$ 0)																																																									
Large Entity	Small Entity	Fee Description	Fee Paid																																																																																																																												
1001 770	2001 385	Utility filing fee																																																																																																																													
1002 340	2002 170	Design filing fee																																																																																																																													
1003 530	2003 265	Plant filing fee																																																																																																																													
1004 770	2004 385	Release filing fee																																																																																																																													
1005 180	2005 80	Provisional filing fee																																																																																																																													
SUBTOTAL (1)		(\$ 0)																																																																																																																													
Total Claims	Extra Claims	Fee from below	Fee Paid																																																																																																																												
Independent Claims	0	0	0																																																																																																																												
Multiple Dependent	0	0	0																																																																																																																												
Large Entity	Small Entity	Fee Description	Fee Paid																																																																																																																												
1202 18	2202 9	Claims in excess of 20																																																																																																																													
1201 88	2201 43	Independent claims in excess of 3																																																																																																																													
1203 290	2203 145	Multiple dependent claim, if not paid																																																																																																																													
1204 88	2204 43	Reissue independent claims over original patent																																																																																																																													
1205 18	2205 9	Reissue claims in excess of 20 and over original patent																																																																																																																													
SUBTOTAL (2)		(\$ 0)																																																																																																																													

\*or number previously paid, if greater; For Reissues, 880 above

SUBMITTED BY		Complete (if applicable)			
Name (Print/Type)	Raymond R. Moser, Jr.	Registration No. Attorney/Agent	34,882	Telephone	732 530-9404
Signature		Date	12/29/03		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2036.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.